

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

APR 19 2002

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IN RE APPLICATION OF : Claude Couture, et al.
FOR : **CROSSLINKED POLYSACCHARIDE,
OBTAINED BY CROSSLINKING WITH
SUBSTITUTED POLYETHYLENE GLYCOL,
AS SUPRABSORBANT**
SERIAL NO. : 10/044,846
FILED : **November 09, 2001**
ART UNIT : 1617
ATTORNEY DOCKET NO. : CLW 2 0148

**PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN
ON EXPRESS MAIL LABEL "DATE-IN" (37 C.F.R. §1.10(c))**

Assistant Commissioner of Patents
Washington, D.C. 20231
Box Petitions

Dear Sir:

1. This is a petition to accord the correspondence (New Application Transmittal) in the above-identified patent application the "date-in" of **11-9-01** shown on **Express Mail Label No. EL 852685943 US**.

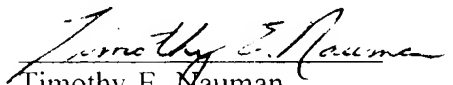
It is respectfully contended that the filing date of 01/09/2002 accorded to this application by the PTO is incorrect.

2. Submitted herewith is the statement of Timothy E. Nauman as to when the discrepancy was discovered and establishing that the petition is being filed promptly thereafter. 37 C.F.R. §1.10(c)(1).
3. Attached is a true copy of the first page of the correspondence (New Application Transmittal) which was filed, showing both the date on which this correspondence was mailed as **Express Mail Label No. EL 852685943 US** and that the number of the Express Mail was placed thereon prior to mailing. 37 C.F.R. §1.10(c)(2).

4. Attached is a true copy of the **Express Mail Label No. EL 852685943** US mailing showing the "date-in" of **November 9, 2001**. 37 C.F.R. §1.10(c)(3).
5. The petition fee (37 C.F.R. §1.17(h)- \$130.00) is paid as a check attached hereto. It is respectfully requested that the petition fee should be refunded if this petition is granted since the delay resulted from no fault of the applicant.

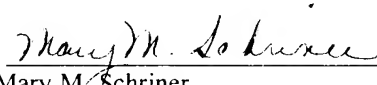
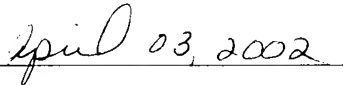
Charge any additional fees required by this paper or credit any overpayment in this matter to Deposit Account No. 06-0308.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP


Timothy E. Nauman
Reg. No. 32,283
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2518
(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that this **PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN ON EXPRESS MAIL LABEL "DATE-IN"** (37 C.F.R. §1.10(c)) and all documents therein referred to as being attached thereto, are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **Box Petitions**, on April 2, 2002.

By:  Date: 
Mary M. Schriener



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FOR : **CROSSLINKED POLYSACCHARIDE, OBTAINED
BY CROSSLINKING WITH SUBSTITUTED
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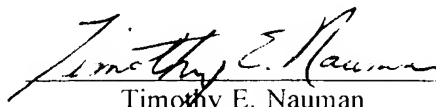
**STATEMENT OF TIMOTHY E. NAUMAN TO SUPPORT
PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN
ON EXPRESS MAIL LABEL "DATE-IN" (37 C.F.R. §1.10(c))**

Assistant Commissioner of Patents
Washington, D.C. 20231
Box Petitions

Dear Sir:

1. The discrepancy between the U.S. Patent Office date of receipt for filing the captioned application and the date of mailing the application by Express Mail was discovered upon receipt of the Filing Receipt and the Notice to File Missing Parts of Nonprovisional Application.
2. This petition is being filed promptly after determining that the U.S. Patent Office had issued no specific communications regarding delay in Express Mail deliveries due to Post Office procedures after September 11, 2002. A copy of the U.S. Postal Service "Shipment History" indicates that although the application has an "Acceptance" date of November 09, 2001 (7:01pm) in Cleveland, Ohio, the "Arrival at Unit" in Washington, D.C. 20066 date is January 12, 2002, and the item was "delivered at 7:34 am on January 14, 2002 in Washington D.C. 20231."

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Timothy E. Nauman



Attorney Docket No. CLW 2 0148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

- | | | |
|--|--|---|
| 1. Claude Couture
5, Park Place, Apt. 8
Westmount, Quebec H3X 2K4
CANADA
Country of Citizenship: Canada | 2. David Bergeron
450, boul. La Fayette, Apt. 4
Longueuil, Quebec J4K 3A5
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500 St-Thomas, Apt. 2
Longueuil, Quebec J4H 3A4
CANADA
Country of Citizenship: Canada |
|--|--|---|

For: **CROSSLINKED POLYSACCHARIDE, OBTAINED BY CROSSLINKING WITH
SUBSTITUTED POLYETHYLENE GLYCOL, AS SUPERABSORBANT**

1. Type of Application

This new application is **not** a provisional application. The application claims priority from Canadian patent application No. 2,325,643 filed 10 November 2000 and Canadian Application No. 2,351,253 filed 26 June 2001.

2. Papers Enclosed Which Are Required For Filing Date under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

60 Pages of specification (pages 1-60)

13 Pages of claims (pages 61-73)

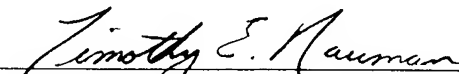
1 Page of Abstract (page 74)

6 Sheets of Drawings - FIGURES 1 - 6 (formal)

X An unexecuted Declaration for Patent Application

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on November 09, 2001 an envelope as "Express Mail Post Office to addressee," Mailing Label Number EL 852685943 US, Addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231


By: Timothy E. Neuman